

EXHIBIT LL

DIMPLE DESAI
UNITED STATES vs STATE OF GEORGIA

March 29, 2022

1

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF GEORGIA
3 ATLANTA DIVISION

4 UNITED STATES OF AMERICA,) CIVIL ACTION
5 Plaintiff,) NO. 1:16-cv-03088-ELR
6 vs.)
7 STATE OF GEORGIA,)
8 Defendants.)
9 - - - - -)

10
11 VIDEO DEPOSITION OF

12 DIMPLE DESAI

13
14 Tuesday, March 29, 2022, 9:16 a.m., EST

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20 HELD AT:

21 Robbins Alloy Belinfante Littlefield LLC
22 500 14th Street, N.W.
23 Atlanta, Georgia 30318

24 -----
25 WANDA L. ROBINSON, CRR, CCR, No. B-1973
Certified Shorthand Reporter/Notary Public

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1 mentioned earlier it's, it's acknowledging some of
2 what we know to be the barriers to accessing
3 services. You know, transportation, getting the kid
4 to the therapist, and providing services in an
5 environment where they already spend so much of
6 their time acknowledges some of those barriers.

7 Q Does providing services in a school
8 setting close to their community generate, based on
9 your understanding of your research, better outcomes
10 for children with behavioral health conditions?

11 MS. JOHNSON: Objection.

12 A Based on my research, providing services
13 in the schools where the kids are receiving their
14 education is, yes, is better for outcomes because,
15 again, it acknowledges some of the access of
16 transportation and the parent needing to take time
17 off work and things like that.

18 It's, it's meeting, meeting them where
19 they are.

20 Q Let me go back and talk about -- I think
21 it was -- I think I'm disorganized. I'm sorry.

22 A That's okay.

23 Q Do you have the Georgia Apex program
24 provider responsibilities and deliverables in front
25 of you?

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1 A Yes. Hold on.

2 This document?

3 Q Yes. It's Exhibit 20, correct?

4 A Yes.

5 Q So I want to direct you to the section
6 titled, "Deliverables," which starts on Page 3 of
7 the document and carries over to Page 4.

8 Do you see where I am?

9 A Yes.

10 Q Okay. Under No. 3, the third bullet, and
11 this is on the last page of the document, is
12 "Difference made."

13 Do you see that?

14 A I do.

15 Q The two measures for difference made are
16 the percent of students served to require a higher
17 level of care, such as short-term crisis
18 stabilization or extended residential treatment,
19 including a) monthly and b) aggregate totals.

20 That's the first; is that correct?

21 A Correct.

22 Q And the second is "number of disciplinary
23 referrals per month for the total population of
24 schools receiving Apex services, including, a)
25 monthly and b) aggregate totals. The goal is try to

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1 attribute the impact of Apex on the general school
2 climate."

3 Do you see that text?

4 A I do.

5 Q Did you have any input in identifying
6 these two measures for difference made?

7 A I believe there was collaborative
8 conversation.

9 Q So did you participate in those
10 conversations?

11 A I believe I did.

12 Q And what was the thinking behind
13 identifying these two measures for difference made?

14 A If I recall, the first one, you know,
15 regarding higher level of care. It's attempting to
16 understand that is receiving the services through
17 the Apex program, maintaining or addressing their
18 need, keeping them in their home, their community,
19 their school, and not requiring a higher level of
20 care, are they meeting -- are they getting what they
21 need from what's being delivered through the Apex
22 program. And it's not resulting in crisis or not
23 resulting in any situation that would require higher
24 levels of care.

25 So that's, that's the first one.

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1 The second one is, you know, given that
2 the Apex therapists are coming into the schools and
3 supporting those Tier 1 and Tier 2 interventions,
4 Tier 1 being that universal prevention, and Tier 2
5 being that group work or smaller focused work, you
6 know, is, is the fact that that support is there,
7 having any impact on the general school climate.

8 And so us, us wanting to understand the
9 disciplinary referrals and incidents -- I think that
10 word is in here -- but, you know, wanting us -- us
11 wanting to understand what the movement of referrals
12 is looking like. You know, is it such that before
13 services we have a high rate of disciplinary
14 referrals and incidents, and now that services are
15 in place, students needs are being met, do we see
16 lower referral, do we see lower incidents.

17 And so is that in any way changing the
18 general school climate.

19 Q And just to make the connection really
20 clear for me and for the record, what is the link
21 between disciplinary referrals and school climate?

22 A So the way -- so Georgia DOE collects a
23 lot of surveys that is part of the Georgia Student
24 Health Survey, and it's a whole, very much long
25 explanation, but basically that results in a school

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1 climate score. Each public school receives a school
2 climate score. I believe it's like one to five, or
3 something like that.

4 And so one of the indicators that, that is
5 part of the conversation of getting to that school
6 climate score is disciplinary incidents. So that's
7 how that kind of connects.

8 Q What are the other factors aside from
9 disciplinary referrals that are relevant to the
10 school climate rating?

11 A Oh, my goodness. It's, it's a lot.

12 So the Georgia Student Health Survey
13 includes student perception survey, staff and
14 personnel perception survey, parent perception
15 survey. Then they're looking at discipline. I
16 think they're looking at whether it's a safe and
17 substance-free environment. I believe there's some
18 bullying indicators in there as well.

19 Someone with DOE would have way more
20 knowledge about it than I do.

21 Q How did you arrive at disciplinary
22 referrals as the key measure for assessing
23 difference made as opposed to the other ones you
24 just identified relative to school climate?

25 A So I think -- you know, referrals are the